

Attorney for Debtor
Pia J. North, Esq. #29672
5913 Harbour Park Drive
Midlothian, VA 23112
(804) 739-3700

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE: NiToya L. Jefferson, Debtor

Case No.: 14-35384
Chapter 13

MOTION TO EXTEND THE AUTOMATIC STAY

COMES NOW NiToya L. Jefferson, debtor, by counsel, Pia J. North, pursuant to 11 U.S.C. § 362(c)(3)(B), the debtor requests that the Court grant an extension of the automatic stay as to all creditors, as to the debtor and the debtor's property, and as to the property of the estate for the duration of this Chapter 13 proceeding. In support of this Motion the debtor states as follows:

1. Jurisdiction of this Court over the instant matter is based upon 28 U.S.C. §§1334 and 157 in that this action arises in and relates to this bankruptcy case of the debtor, filed in this Court on March 25, 2013.

2. This proceeding is a core proceeding under 28 U.S.C. §157(b)(2)(A), (B), (K), and (O).

3. Venue is proper pursuant to 28 U.S.C. §1409.

4. On October 6, 2014 the Debtor filed in this Honorable Court a petition for relief under Chapter 13 of the Bankruptcy Code, 11 U.S.C. §§ 1301 et seq. (the "instant case"). Robert E. Hyman was appointed to serve as Chapter 13 Trustee in this case.

5. The Debtor has filed two previous Bankruptcies in the last eight years, however only one case was dismissed within the last year. The debtor filed: (1) Case# 14-30140, filed under Chapter 13 on January 11, 2014 and dismissed October 6, 2014 by a Motion to Dismiss filed by the Trustee for failure to make payments under a confirmed plan.

(2) Case# 08-30846 filed under Chapter 7 on February 25, 2008 was discharged on June 2, 2008.

6. The instant case has a presumption that it was not filed in good faith because the prior case was dismissed for failure to make payments under a confirmed Chapter 13 plan

7. The automatic stay will expire on November 5, 2014 which is 30 days after this case was filed.

8. The Debtor has filed this case in good faith. The Debtor will file a confirmable plan with the Court. The Debtor anticipates that she will be able to fully perform under the terms of the plan.

9. The Debtor's prior case was not dismissed because the debtor failed to file or amend her petition or any required documents, or to provide adequate protection ordered by the Court.

10. The Debtor's prior bankruptcy was not dismissed at a time when there had been a Motion for Relief that was pending before the court or resolved with an order terminating, conditioning or limiting the stay.

11. There has been a change in circumstances since the debtor's prior bankruptcy. During the prior case, the debtor was on a voluntary wage directive which was filed by the Trustee on February 27, 2014. She was unable to keep up with the plan payments voluntarily. She was helping take care of her elderly mother who became ill. Since the dismissal of the last case the debtor's mother is in better health. In addition, the debtor has decided that a directive for wage deduction will allow her to fully perform in her new case.

12. The debtor will propose confirmable Chapter 13 Plan which will commit all of her disposable income to the plan.

WHEREFORE, for the foregoing reasons, the Debtor respectfully requests that this Court enter an Order extending the automatic stay under 11 U.S.C. § 362 as to all creditors, as to the debtor and the debtor's property, and as to the property of the estate for the duration of this Chapter 13 proceeding, or until such time as the stay is terminated under § 362 (c) (1) or (c) (2), or a motion for relief is granted under § 362(d) and for such other and further relief as to the Court shall be deemed appropriate.

Respectfully submitted:
NiToya L. Jefferson

By: /s/ Pia J. North
Counsel

Attorney for NiToya L. Jefferson
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: NiToya L. Jefferson, Debtor

Case No. 14-35384
Chapter 13

NOTICE OF MOTION

Pia J. North, Attorney for the Debtor having filed papers with the court: Motion to Extend the Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss **them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the motion, then **on or before October 21, 2014** you or your attorney must: File with the court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Room 4000
Richmond, VA 23219

You must also mail a copy to:

Pia J. North, Esquire
5913 Harbour Park Dr
Midlothian, VA 23112

Office of the U.S. Trustee
701 E. Broad Street, Room 4304
Richmond, Virginia 23219

Robert E. Hyman
P.O. Box 1780
Richmond, VA 23218-1780

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Certificate of Service

I hereby certify that I have 10/7/2014 mailed or hand delivered a true copy of this Motion to Extend the Automatic Stay to the parties listed on the attached mailing matrix.

/s/ Pia J. North
Pia J. North

Attorney for Debtor
Pia J. North, Esq. #29672
5913 Harbour Park Drive
Midlothian, VA 23112
(804) 739-3700

**United States Bankruptcy Court
Eastern District of Virginia
Richmond Division**

In NiToya L. Jefferson, Debtor

Case No. 14-35384
Chapter 13

NOTICE

PLEASE TAKE NOTICE that on **October 22, 2014 @ 10:30 a.m.** or as soon thereafter as is practical, we will appear before the Honorable Kevin R. Huennekens located at the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, 701 E. Broad Street, Room 5000, Richmond, VA 23219 on the Debtor's Motion to Extend the Automatic Stay.

NiToya L. Jefferson
BY: /s/ Pia J. North
Counsel

Certificate of Service

I hereby certify that on October 7, 2014, I served by ECF or mailed a true copy of this Motion to Extend the Automatic Stay, Notice of Motion and the Notice of Hearing to: to the Trustee, United States Trustee at 701 E. Broad Street, Room 4304, Richmond, VA 23219, and by U.S. mail to NiToya L. Jefferson, Debtor at the 6808 Shawnee Road, Richmond, VA 23225, and all of the creditors and the parties of interests.

/s/ Pia J. North
Pia J. North

Attorney for Debtor
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE: NiToya L. Jefferson, Debtor

Case No.: 14-35384
Chapter 13

AFFIDAVIT

I, NiToya L. Jefferson declare under penalty of perjury that the information provided in Motion to Extend the Automatic Stay is true and correct.

I, previously filed a Chapter 13 bankruptcy on January 11, 2014, I didn't make the payments I was supposed to pay. I was on a voluntary wage directive. I was unable to make my required payments because my mother became ill. In this new case, I will not choose the option of a voluntary payment and instead have the Chapter 13 payment deducted from my paycheck.

/s/NiToya L. Jefferson
NiToya L. Jefferson

October 3, 2014
Date

Label Matrix for local noticing
0422-3
Case 14-35384-KRH
Eastern District of Virginia
Richmond
Tue Oct 7 12:16:56 EDT 2014

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

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Attn: Bankruptcy
1801 Valley View Lane
Dallas, TX 75234-8906

Acs/Wells Fargo
501 Bleecker St
Utica, NY 13501-2401

American Family Fitness
National Fitness Financial
PO Box 497
Layton, UT 84041-0497

Approved Cash Advance
6341 Janke Rd
Richmond, VA 23225-4142

Bank of America
P.O. Box 45224
Jacksonville, FL 32232-5224

Bug Haus
10 Westover Hills Blvd
Richmond, VA 23225-6300

CJW Center
P.O. Box 740760
Cincinnati, OH 45274-0760

Cbsi
550 Greensboro Ave Ste 3
Tuscaloosa, AL 35401-1584

City of Richmond DPU BANK
Dept. of Public Utilities
730 E. Broad Street, 5th floor
Richmond, VA 23219-1861

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

Commonwealth of Virginia
VA Employment Commission
P.O. Box 26971
Richmond, VA 23261-6971

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Dish Network
Department 0063
Palatine, IL 60055-0063

Dominion Women's Health
8239 Meadowbridge Road
Mechanicsville, VA 23116-2318

Domion Virginia Power
P.O. Box 26543
Richmond, VA 23290-0001

Ecmc
1 Imation Pl
Oakdale, MN 55128-3422

Enhanced Recovery Co L
8014 Bayberry Rd
Jacksonville, FL 32256-7412

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

(p)FOCUSED RECOVERY SOLUTIONS
9701 METROPOLITAN COURT
STE B
RICHMOND VA 23236-3690

Fredericksburg Credit
10506 Wakeman Dr
Fredericksburg, VA 22407-8040

Gold's Gym
c/o Conexion
Post Office Box 72609
Rosedale, MD 21237-8609

Honey Tree Apartments
1528-H Honey Grove Drive
Richmond, VA 23229-5243

Internal Revenue Service
Centralized Insolvency Unit
P O Box 7346
Philadelphia, PA 19101-7346

Kay Jewelers
375 Ghent Rd
Fairlawn, OH 44333-4600

Lab Corp
P.O. Box 2240
Burlington, NC 27216-2240

Loan Max BKY
3440 Preston Ridge Rd #500
Alpharetta, GA 30005-3823

Mwinvest
2900 Sabre St Ste75
Norfolk, VA 23502

Natl Fitness
1645 E Hwy 193
Layton, UT 84040-8525

North & Associates, P.C.
5913 Harbour Park Drive
Midlothian, VA 23112-2163

Pinnacle Credit Service
7900 Highway 7 # 100
Saint Louis Park, MN 55426-4045

Radiology Assoc. of Richmond
P.O. Box 13343
Richmond, VA 23225-0343

Receivable Management
7206 Hull Street Rd Ste
North Chesterfield, VA 23235-5826

(p)SPRINT NEXTEL CORRESPONDENCE
ATTN BANKRUPTCY DEPT
PO BOX 7949
OVERLAND PARK KS 66207-0949

Strayer University
11501 Nuckols Road
Glen Allen, VA 23059-5508

Suntrust
P. O. Box 79079
Baltimore, MD 21279-0079

U S Dept Of Ed/Gsl/Atl
Po Box 4222
Iowa City, IA 52244

US Department of Education
P.O. Box 105028
Atlanta, GA 30348-5028

Us Dept Ed
Po Box 5609
Greenville, TX 75403-5609

Verizon - Bankruptcy Dept
P.O. Box 3397
Wilmington, IL 61702-3397

Wells Fargo
Post Office Box 10347
Des Moines, IA 50306-0347

West End Ob/Gyn
7206 Hull Street Rd Ste
North Chesterfield, VA 23235-5827

Williams & Fudge Inc
300 Chatham Ave Ste 201
Rock Hill, SC 29730-5395

NiToya L. Jefferson
6808 Shawnee Road
Richmond, VA 23225-1714

Pia J. North
North & Associates, P.C.
5913 Harbour Park Drive
Midlothian, VA 23112-2163

Robert E. Hyman
P.O. Box 1780
Richmond, VA 23218-1780

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Direct TV
Post Office Box 92600
Los Angeles, CA 90009

Focused Recovery Solutions
9701 Metropolitan Ct Ste
North Chesterfield, VA 23236

Sprint BANKRUPTCY Dept
P.O. Box 172408
Denver, CO 80217-2408

End of Label Matrix
Mailable recipients 46
Bypassed recipients 0
Total 46